



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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IN REPLY PLEASE

REFER TO FILE: **C-1**

January 3, 2006

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**AWARD OF PUBLIC WORKS CONSTRUCTION CONTRACTS  
ALL SUPERVISORIAL DISTRICTS  
3 VOTES**

**IT IS RECOMMENDED THAT YOUR BOARD:**

Award and authorize the Director of Public Works, or his designee, to prepare the construction contracts in the form previously approved by County Counsel, execute the contracts, and establish the effective dates following receipt of approved Faithful Performance and Labor and Material bonds filed by the contractors for the following:

Project ID No. FCC0000927 - 16th Street Drain, City of Santa Clarita (5), to Van Elk, Ltd., in amount of \$483,440.00.

Project ID No. RDC0014005 - 135th Street, in the vicinity of Compton (2), to Sully-Miller Contracting Company, in amount of \$1,552,425.90.

Project ID No. RDC0014289 - Truck Impacted Intersections - Group C, Cities of Huntington Park, Montebello, Santa Fe Springs, Vernon, Bellflower, Lakewood, Norwalk, and Paramount (1 and 4), to Terno, Inc., in amount of \$496,325.00.

Project ID No. RDC0014810 - As-Needed Traffic Signal Construction, 2005-06, in various unincorporated areas throughout Los Angeles County (All), to Terno, Inc., in amount of \$2,846,997.42.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

We are recommending that your Board award these construction contracts and authorize the Director of Public Works, or his designee, to execute the contracts and establish the effective contract dates following receipt of approved bonds and insurance filed by contractors for each of these projects.

The enclosure for each project includes the project description, the call for bids and bid opening dates, a tabulation of bids, and financial information. The certified record of receipt of bids and the original bid proposals for each project are also enclosed, including addenda to the contract specifications for Project ID Nos. FCC0000927, RDC0014005, RDC0014289, and RDC0014810.

The recommended construction contracts are necessary to execute Board-directed and approved Public Works projects in support of operational missions. Your Board's approval of the recommended contract awards and our subsequent execution of the contracts will ensure the timely completion of the projects.

### **Implementation of Strategic Plan Goals**

The award of these construction contracts is consistent with the County Strategic Plan Goal of Service Excellence since these contracts will provide improved infrastructure to better serve the public.

### **FISCAL IMPACT/FINANCING**

The enclosure for each project includes the amount of the recommended contract as compared with the engineer's estimate and the other bids received.

These projects are included in the 2005-06 Department of Public Works Budget. The enclosure for each project includes more detailed fiscal and financial information.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Recommended contract awards are to the lowest responsible bidders in accordance with the California Public Contract Code and your Board's directives.

On October 27, 1981, your Board adopted a program for the use of small Minority and Women-owned Businesses (MWBs) on Federal- and State-funded highway construction contracts. Companies meeting these requirements are certified by the State as Disadvantaged Business Enterprises (DBEs). An overall goal for subcontracting portions of the work to DBEs is established for each project. Contracts are recommended for award to the lowest responsible bidder who meets the goal or documents a good faith effort to do so in conformance with the program.

We have also developed an outreach program to encourage all qualified contractors to participate in the bidding and contracting process on our projects. Under this program, we place notices of upcoming bids in local and minority newspapers throughout the County. These notices indicate that copies of plans and specifications are available at specified libraries and the Public Works Headquarters building. This allows interested contractors to view the plans and specifications at convenient locations. We also provide telephone numbers (including one for Spanish-speaking contractors) to obtain further information on bidding and subcontracting opportunities.

To further increase contractor awareness of contracting opportunities with Public Works, each of these projects was listed on the County website for upcoming bids.

The State Labor Code requires contractors to pay prevailing wage rates to all persons employed on public works construction contracts. These rates are determined by the Department of Industrial Relations and include contributions for fringe benefits such as vacations, pension funds, training, and health plans for each employee.

As required by your Board, language has been incorporated into the project specifications stating that the contractor shall notify its employees, and shall require each subcontractor to notify its employees, that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

The contracts will be in the form previously approved by County Counsel. We will also review and approve the faithful performance and payment bonds filed by the contractors.

## **ENVIRONMENTAL DOCUMENTATION**

On May 19, 2005, your Board approved the Negative Declaration for Project ID No. FCC0000927.

On August 19, 2003, your Board approved the Negative Declaration for Project ID No. RDC0014289.

The remaining projects were found to be categorically exempt from the provisions of the California Environmental Quality Act at the time your Board called for bids. The specifics of these findings are included in the enclosure for these projects.

## **CONTRACTING PROCESS**

The contracts were solicited on an open competitive basis in accordance with the provisions of the Public Contract Code.

The project specifications contain provisions requiring the contractor to report solicitations of improper consideration by County employees and allowing the County to terminate the contract if it is found that the contractor offered or gave improper consideration to County employees.

Public Works has confirmed that all of the respective contractors are in compliance with the County's Child Support Compliance Program and the requirements of the Contractor Employee Jury Service Program. In addition, the contracts will include language requiring compliance with the Newborn Abandonment Law (Safely Surrendered Baby Law).

The project specifications also contain a provision that, should the contractor require additional or replacement personnel to fill employment openings, consideration shall be given to hiring qualified participants in the County's Greater Avenues for Independence or General Relief Opportunities for Work Programs.

To ensure that the contracts are awarded to responsible contractors with satisfactory performance histories, bidders are required to report False Claims Act violations, labor law/payroll violations, debarments, their civil litigation history, and information regarding prior criminal convictions. The information reported by all of the respective contractors was considered before making this recommendation to approve execution of the contracts.

The Honorable Board of Supervisors  
January 3, 2006  
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**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

These construction contracts will result in improved public works infrastructure in the communities where the work is scheduled. Where appropriate, local residents and businesses will be informed that traffic and local access may be mildly disrupted during the construction. The proposed schedules for construction are included in the enclosure for each project.

**CONCLUSION**

Please return one adopted copy of this letter to Public Works.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

LGM

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Enc. 4

cc: Chief Administrative Office  
County Counsel  
Office of Affirmative Action Compliance

AWARD OF CONTRACT  
January 3, 2006

PROJECT ID NO. FCC0000927, 16TH STREET DRAIN (City of Santa Clarita),  
Supervisory District 5

TYPE OF WORK: Construction of a reinforced concrete pipe storm drain, drainage  
structures, and other appurtenant work.

CALL FOR BIDS DATE: November 1, 2005 (Synopsis 33)

BID OPENING DATE: December 1, 2005

BID SUMMARY:

|     |   |              |
|-----|---|--------------|
| Low | Van Elk, Ltd., a corporation<br>3312 Floyd Terrace<br>Los Angeles, California 90068<br>(323) 850-7751 | \$483,440.00 |
| 2   | Mike Bubalo Construction Co., Inc.  | \$491,840.00 |
| 3   | Garcia Juarez Construction, Inc.  | \$531,290.00 |
| 4   | *Dominguez General Engineering Contractor   | \$575,010.00 |
| 5   | DLSB, Inc.  | \$638,880.00 |
| 6   | Excel Paving Company  | \$667,080.00 |
| 7   | +Buso Constructors, Inc.  | \$698,885.00 |
| 8   | Nicholas Construction, Inc.   | \$738,289.00 |

\*MWBE  
+LSBE

FINANCIAL INFORMATION:

|   |              |
|---|--------------|
| Amount of estimate                            | \$491,048.00 |
| Amount of recommended contract                | \$483,440.00 |
| Amount of recommended contract below estimate | \$ 7,608.00  |

The amount of the recommended contract is 1.6 percent below the estimate.

Sufficient funds for this project are available to the Flood Control District for the Fiscal  
Year 2005-06.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Van Elk, Ltd., has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal or State DBE goal.

ENVIRONMENTAL IMPACT:

On May 10, 2005, Synopsis No. 71, your Board approved a Negative Declaration for this project.

CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 50 working days. It is estimated that the work will start in February and be completed in May 2006.

HC:lgm

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AWARD OF CONTRACT  
January 3, 2006

PROJECT ID NO. RDC0014005, 135TH STREET (in the vicinity of Compton),  
Supervisory District 2

TYPE OF WORK: Roadway reconstruction and resurfacing; reconstruction of curb & gutter, sidewalk, driveways, alley intersections and cross gutters; construction of curb ramps and bus pads; striping and pavement markings; and modification of traffic signal systems.

CALL FOR BIDS DATE: November 1, 2005 (Synopsis 37)

BID OPENING DATE: December 6, 2005

BID SUMMARY:

|     |  |                |
|-----|--|----------------|
| Low | Sully-Miller Contracting Company, a corporation<br>1100 East Orangethorpe Avenue, Suite 200<br>Anaheim, California 92801<br>(714) 578-9628 | \$1,552,425.90 |
| 2   | Griffith Company   | \$1,567,971.78 |
| 3   | Excel Paving Company   | \$1,669,156.93 |

FINANCIAL INFORMATION:

|   |                |
|---|----------------|
| Amount of estimate                            | \$1,550,191.50 |
| Amount of recommended contract                | \$1,552,425.90 |
| Amount of recommended contract above estimate | \$ 2,234.40    |

The amount of the recommended contract is less than 1 percent above the estimate.

This project will be administered under the Federal Surface Transportation Program covered by Agreement 71078 with the State of California. Under this program, Federal-aid funds allocated to local agencies are used to finance a portion of the cost of road improvement projects.

This project is included in the Fiscal Year 2005-06 Road Fund Budget.

#### MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Sully-Miller Contracting Company has three MWBE subcontractors/suppliers under this contract, yielding a proposed DBE participation of 13.7 percent. This contract has a Federal DBE goal of 15 percent. Accordingly, Sully-Miller was required to submit good faith effort documentation in accordance with Title 49 CFR, Section 28. Our review of the documentation has substantiated that a good faith effort was made.

#### ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsections (x)(1), (x)(2), (x)(4), and (x)(14), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987, and Section 15301 (c) of the California Environmental Quality Act Guidelines.

#### CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 100 working days. It is estimated that the work will start in March and be completed in August 2006.

EK:lgm

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AWARD OF CONTRACT  
January 3, 2006

PROJECT ID NO. RDC0014289, TRUCK IMPACTED INTERSECTIONS - GROUP C  
(Cities of Huntington Park, Montebello, Santa Fe Springs, Vernon, Bellflower, Lakewood, Norwalk, and Paramount), Supervisorial Districts 1 and 4

TYPE OF WORK: Modification and synchronization of traffic signals, installation of striping and pavement markings, and other appurtenant work.

CALL FOR BIDS DATE: August 9, 2005 (Synopsis 39)

BID OPENING DATE: October 25, 2005

BID SUMMARY:

|     |   |              |
|-----|---|--------------|
| Low | Terno, Inc., a corporation<br>15701 Heron Avenue<br>La Mirada, California 90638<br>(714) 228-9631 | \$496,325.00 |
| 2   | *C. T. & F., Inc.   | \$571,773.18 |
| 3   | *Steiny and Company, Inc.   | \$582,176.00 |
| 4   | Comet Electric, Inc.  | \$585,320.00 |
| 5   | MSL Electric, Inc.  | \$623,447.00 |

\*MWBE

Dynalectric submitted a bid in the amount of \$422,226.00. However, a bid bond was not submitted along with the bid proposal. Therefore, their bid was considered nonresponsive and rejected as provided in the "Instructions to Bidders."

FINANCIAL INFORMATION:

|   |              |
|---|--------------|
| Amount of estimate                            | \$361,378.50 |
| Amount of recommended contract                | \$496,325.00 |
| Amount of recommended contract above estimate | \$134,946.50 |

The amount of the recommended contract is 37 percent above the estimate which is based on the bid price history of the various items. A review of the estimate indicates the major cost differential is in the cost estimated for items such as conduits, pull boxes, and video detection system. A review of the bids received indicates that the estimated cost for these items was significantly underestimated. We do not believe that readvertising the project will result in lower bids. We recommend award of the project to the low bidder.

This project is entirely within the jurisdictional limits of the following Cities: Bellflower, Huntington Park, Lakewood, Montebello, Norwalk, Paramount, Santa Fe Springs, and Vernon within the Gateway Cities Council of Governments (COG). County-COG cooperative Agreement No. 73356 provides for the County to perform the preliminary engineering and administer the construction of the project. This project is 100 percent funded with Los Angeles County Metropolitan Transportation Authority (MTA), the Cities, and Federal Demonstration funds. This project is included in the Fiscal Year 2005-06 Road Fund Budget.

#### MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Terno, Inc., has two DBE subcontractors/suppliers under this contract, yielding a proposed DBE participation of 2 percent. This contract has a Federal DBE goal of 2 percent.

#### ENVIRONMENTAL IMPACT:

On August 19, 2003, Synopsis No. 33, your Board approved the Negative Declaration for this project.

#### CONSTRUCTION SCHEDULE:

The contract specifications require the work to be completed in 60 working days. It is estimated that the work will start in May and be completed in August 2006.

TP:lgm

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AWARD OF CONTRACT  
January 3, 2006

PROJECT ID NO. RDC0014810, AS-NEEDED TRAFFIC SIGNAL CONSTRUCTION, 2005-06 (in various unincorporated areas throughout Los Angeles County),  
All Supervisorial Districts

TYPE OF WORK: Installation of traffic signals on an as-needed basis.

CALL FOR BIDS DATE: November 15, 2005 (Synopsis 23)

BID OPENING DATE: December 20, 2005

BID SUMMARY:

|     |   |                |
|-----|---|----------------|
| Low | Terno, Inc., a corporation<br>15701 Heron Avenue<br>La Mirada, California 90638<br>(714) 228-9631 | \$2,846,997.42 |
|-----|---|----------------|

|   |                           |                |
|---|---------------------------|----------------|
| 2 | *Steiny and Company, Inc. | \$3,080,470.00 |
|---|---------------------------|----------------|

\*MWBE

FINANCIAL INFORMATION:

|   |                |
|---|----------------|
| Amount of estimate                            | \$2,662,225.00 |
| Amount of recommended contract                | \$2,846,997.42 |
| Amount of recommended contract above estimate | \$ 184,772.42  |

The amount of the recommended contract is 6.9 percent above the estimate.

This project is included in the Fiscal Year 2005-06 Road Fund Budget.

MINORITY/WOMEN-OWNED BUSINESS ENTERPRISE DATA:

Terno, Inc., has no MWBE subcontractors/suppliers under this contract. This contract does not have a Federal or State DBE goal.

ENVIRONMENTAL IMPACT:

This project is categorically exempt pursuant to Class 1, Subsections (x)(5) and (x)(14), of the revised County Environmental Document Reporting Procedures and Guidelines adopted by your Board on November 17, 1987.

CONSTRUCTION SCHEDULE:

This contract is for a period of one year. It is estimated that the work will start in January and be completed in December 2006.

RE:lgm

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